

February 24, 2005

R. Lane Stebbins  
Deputy Attorney General  
Office of the Attorney General  
Department of Law and Public Safety  
Division of Gaming Enforcement  
1300 Atlantic Avenue  
Atlantic City, New Jersey 08401

**Re: Interstate Industrial Corporation  
and Interstate Drywall Corporation**

Dear Mr. Stebbins:

I write as counsel for Bernard Kerik to advise your office that we are asserting the Fifth Amendment on Mr. Kerik's behalf with respect to the subpoenas previously served upon him by your office. Although Mr. Kerik's wishes to cooperate fully with your office and its investigation, counsel has learned that the New York City Department of Investigation ("DOI") is conducting its own unwarranted parallel investigation that falls outside the scope of its vested authority. And, in the course of doing so, the DOI has harassed witnesses while delving intrusively into matters that are utterly irrelevant to its stated agenda. Given that Mr. Kerik's testimony in your investigation would undoubtedly be made available to the DOI, pursuant to §N.J.S.A. 19:40-4.8, governing the disclosure of otherwise confidential information to separate law enforcement agencies, we are compelled to invoke Mr. Kerik's Fifth Amendment privilege on his behalf.

Please note that we do not question the motives underlying your investigation. In fact, in an effort to assist your office, Mr. Kerik is indeed willing to consider answering under oath written interrogatories posed to him. If this alternative is acceptable to you, kindly contact us at your earliest convenience to discuss the matter.

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I cannot stress enough that Mr. Kerik has absolutely no concerns about his exposure, as he has engaged in no wrongdoing of any sort. Unfortunately, the DOI's misguided and questionable tactics have compelled us to proceed in this manner.

Thank you for your attention to this matter.

Very truly yours,

Joseph Tacopina